

SUPPORT FOR THE AMENDMENTS

Claim 1 has been amended.

Claims 6-23 have been added.

Support for the amendment of Claim 1 and the introduction of Claims 6-23 can be found on pages 4-10 of the specification as originally filed. Addition support for the amendment of Claim 1 and the introduction of Claims 6-23 can be found in the Examples in the specification as originally filed.

No new matter has been added by the present amendment.

REMARKS

Claims 1-23 are pending in the present application.

At the outset, Applicants wish to thank Examiner Yang for the helpful and courteous discussion with their undersigned Representative on August 29, 2006. During this discussion the amendments and remarks set forth herein were discussed, including the language currently presented in amended Claim 1 to avoid a possible restriction requirement. Reconsideration of the remaining rejections is respectfully requested in view of the amendments and remarks set forth herein.

The rejection of Claims 1 and 2 under 35 U.S.C. §102(b) over Steckler is respectfully traversed.

In the outstanding Office Action, the Examiner has taken the position that Steckler discloses the physiologically active substance-measuring reagent of Claim 1.

However, Applicants submit that Steckler fails to disclose or suggest any of the specifically disclosed sub-generic or sub-species of components (1), (2), or (3) as defined in the specification at pages 4-6. Therefore, Claim 1 has been amended to recite the various defined sub-genus or sub-species as alternatives in Claim 1.

The Examiner is reminded that in order for a reference to anticipate an invention, the reference “must teach every element of the claim” (MPEP §2131). In view of the foregoing, Applicants submit that Finley et al fails to anticipate the claimed invention.

Applicants request withdrawal of these grounds of rejection.

The rejection of Claims 1 and 2 under 35 U.S.C. §112, second paragraph, is obviated in part by amendment and traversed in part.

With respect to the “unclear” language in original Claim 1, Applicants confirm that the Examiner’s interpretation of the phrase “having an interaction with” is proper. However, to clarify the claims this phrase be replaced with the phrase “which is capable of interacting with.”

With respect to the asserted lack of antecedent basis in Claim 2, Applicants direct the Examiner’s attention to the fact that the objected to term in Claim 2 finds proper antecedent basis in component (2) of Claim 1.

In view of the foregoing, Applicants request withdrawal of this ground of rejection.

Accordingly, Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon.



Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)